

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

LAMAR JONES,

Petitioner,

Case No. 24-cv-10207  
Hon. Matthew F. Leitman

v.

MACOMB COUNTY JAIL,

Respondent.

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**ORDER DIRECTING PETITIONER TO FILE**  
**AN AMENDED PETITION FOR WRIT OF HABEAS CORPUS**

Petitioner Lamar Jones is a state inmate currently incarcerated at the Macomb County Jail. On January 26, 2024, Jones filed a petition for a writ of habeas corpus in this Court. (*See* Pet., ECF No. 1.) It is unclear from the Petition whether Jones seeks relief pursuant to 28 U.S.C. § 2241 or 28 U.S.C. § 2254. For the reasons explained below, by no later than **April 15, 2024**, Jones shall file an Amended Petition that adequately states a claim for relief. If Jones fails to file such an Amended Petition, the Court will dismiss his currently-pending Petition without prejudice.

Jones' current Petition is subject to dismissal because Jones essentially filed a boilerplate petition for a writ of habeas corpus that fails to specify whether he has been convicted of any offense. Moreover, Jones has not alleged any facts in the

Petition which could show that he is being detained in violation of his federal constitutional rights. Finally, Jones has not made any legal argument about how his detention is unconstitutional.

Dismissal of a habeas petition under Rule 2(c) of the Rules Governing § 2254 Cases, 28 U.S.C. foll. § 2254 “is appropriate when a petition and accompanying pleadings are unintelligible and a court is unable to determine what alleged errors of fact or law are at issue for adjudication.” *Arega v. Warden, Chillicothe Corr. Inst.*, 347 F.Supp.3d 359, 361 (S.D. Ohio 2018) *report and recommendation adopted*, 347 F.Supp.3d 359 (S.D. Ohio. 2018). In addition to the deficiencies identified above, Jones’ Petition does not identify the name of the state court that convicted him (if he even has been convicted), the date he was convicted, or the offenses for which he was convicted. Thus, “[t]he petition in this case, even liberally construed, alleges no facts at all, let alone facts that would support a claim that [Jones] was convicted in violation of the Constitution or laws of the United States.” *Id.*

In lieu of dismissing the Petition, the Court will provide Jones one final opportunity to state a cognizable claim. Thus, it **ORDERS** Jones, by no later than **April 15, 2024**, to file an Amended Petition that adequately states a claim for relief and satisfies the governing rules for habeas petitions. More specifically, Rule 2(c) of the Rules Governing § 2254 Cases, 28 U.S.C.A. foll. § 2254, contains the following requirements for a habeas petition:

(c) Form.

The petition must:

- (1) specify all the grounds for relief available to the petitioner;
- (2) state the facts supporting each ground;
- (3) state the relief requested;
- (4) be printed, typewritten, or legibly handwritten; and
- (5) be signed under penalty of perjury by the petitioner or by a person authorized to sign it for the petitioner under 28 U.S.C. § 2242.

(d) Standard Form.

The petition must substantially follow either the form appended to these rules or a form prescribed by a local district-court rule. The clerk must make forms available to petitioners without charge.<sup>1</sup>

If Jones fails to file an Amended Petition that complies with these rules and the requirements set forth above by **April 15, 2024**, the Court will dismiss his currently-pending petition without prejudice.

**IT IS SO ORDERED.**

Dated: February 26, 2024

s/Matthew F. Leitman  
MATTHEW F. LEITMAN  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> The form petitions for writ of habeas corpus can be obtained by Jones at [www.mied.uscourts.gov/PDFFiles/AO\\_241\\_AppHabeas2254.pdf](http://www.mied.uscourts.gov/PDFFiles/AO_241_AppHabeas2254.pdf) or by writing the Clerk of the Court at 231 West Lafayette Boulevard, Detroit, Michigan 48226.

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 26, 2024, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

(313) 234-5126